Public Participation Plan
For the
Olympic View Sanitary Landfill

Ecology Facility Site Identification Number: 79649975

Prepared by
Washington State Department of Ecology
3190 160th Avenue SE
Bellevue, WA 98008-5452

November 2000

Revised
October 2010

Contents

What is a Public Participation Plan?

This Public Participation Plan is a document that provides information about how citizens may become involved in the decision-making at certain stages of cleanup at the Olympic View Sanitary Landfill site. The Olympic View Sanitary Landfill is located at 10015 SW Barney White Road, Port Orchard, Washington. The landfill is in Kitsap County just west of the Bremerton National Airport and adjacent to the Port of Bremerton's Olympic View Industrial Park. A site location map is provided in Appendix A. A glossary of terms relevant to the cleanup process at the Olympic View Sanitary Landfill is provided in Appendix B.

This plan is part of an Agreed Order signed by The Department of Ecology (Ecology) and Olympic View Sanitary Landfill, Inc. The Agreed Order names Olympic View Sanitary Landfill, Inc. (OVSL, Inc.) as the Potentially Liable Party (PLP) and requires them to conduct a Remedial Investigation and Feasibility Study at the landfill. The remedial investigation will determine the extent of contamination in groundwater at the landfill site. The feasibility study will evaluate cleanup alternatives.

Why Have a Public Participation Plan?

Washington State's cleanup law, the Model Toxics Control Act (MTCA), chapter 70.105D RCW and chapter 173-340-600 WAC, requires Ecology and the PLPs to develop a Public Participation Plan for each

cleanup site. The goal of the Public Participation Plan is to provide the public with timely information and meaningful opportunities for participation that are commensurate with each site. It also serves as a way of gathering information from the public that will help Ecology and OVSL, Inc. with the investigation and planning for cleanup. The Plan will help the community living near the landfill, as well as the general public, keep informed about cleanup activities and how they may participate in the process.
Ecology will review the Plan as the cleanup progresses and may, working cooperatively with OVSL, Inc., amend it if necessary. Amendments may also occur as part of a public comment period associated with cleanup documents at future stages of cleanup. Cleaning up the landfill site is important to the environmental quality in the area and to its citizens, and Ecology. The "environment" is not just the natural condition of a place or area, but the interdependence of natural and socio-economic values. It is critical to look at all interests when selecting the best approach to clean up the landfill site.

Public input is an important part of the cleanup process since the public is familiar with the community, its history, and its values. Ecology's goal is to facilitate collaborative partnerships with all concerned about the effects of contaminants at the Site. Public approval helps avoid delay, frustrations, and excess costs. Greater public input leads to a more successful project.

How Can I Become Involved?

Ecology and OVSL, Inc. invite you to become involved in the decision-making process of the cleanup. The following are some ways to participate:

- Visit Ecology's web site for the Olympic View Sanitary Landfill site to learn more about the site and about the MTCA process.
- Get on the mailing list to receive information about the site.
- Contact the key people involved in the site cleanup for information (see next section for a list of contacts).
- Read fact sheets and comment on documents out for public comment.
- Attend meetings that explain the cleanup actions.

How Can I Find Out More?

Ecology staff members are available to answer questions about specific cleanup issues, the process in general, or other questions related to the site. Staff can also help provide information on related environmental regulations and help find specific documents that may be of interest. E-mail or letters are the preferred form of communication as fieldwork will occasionally take staff away from their phones. In addition, personnel from Waste Management, Inc. (the holding company for OVSL, Inc.) or the Kitsap County Health District (KCHD) can answer questions about the cleanup and day-to-day activities on the site. If you have questions about the landfill or the cleanup process in general, please contact one of the individuals listed below:

Madeline Wall, Site Manager
Washington State Department of Ecology
Solid Waste and Financial Assistance Program
3190 160th Avenue SE
Bellevue, WA 98008-5452
(425) 649-7015
madeline.wall@ecy.wa.gov

Steve Richtel
Waste Management, Inc.
2400 West Union Avenue
Englewood, Co 80110
(303) 914-1434
srichtel@wm.com

Jan Brower
Kitsap County Health District
345 6th Street, Suite 300
Bremerton, WA 98337-1866
(360) 337-5672
browej@health.co.kitsap.wa.us

Information about the landfill, including the Agreed Order, is available on-line at Ecology's Olympic View Sanitary Landfill website at the following address.
http://www.ecy.wa.gov/programs/tcp/sites/olympicView/olympicView_hp.html

General Site History

The Olympic View Sanitary Landfill is a 65 acre municipal solid waste landfill that closed in 2003. The landfill continues to be regulated under state and local regulations by the Kitsap County Health District (KCHD) under a post-closure solid waste permit.

In 1963, the landfill was developed as a burning dump known as the Old Barney White Landfill. The Old Barney White Landfill was approximately 20 acres and unlined. The Old Barney White Landfill reportedly accepted municipal waste and U.S. Navy demolition, industrial, and putrescible waste.

In 1970, Brem Air Disposal, Inc. acquired the site and renamed it Brem Air Northwest Disposal. Brem Air Disposal, Inc. operated the landfill until 1976. They stopped burning at the landfill, and in 1975 developed the landfill to comply with the state regulations, the Minimum Functional Standards for Solid Waste Handling, and the Bremerton-Kitsap County Health District (BKCHD) permit requirements. After 1975, the landfill accepted mixed municipal solid waste, industrial waste, demolition waste and special waste which included coal ash, asbestos, septage and sewage sludge.

In 1977, a new corporation was formed by the Brem Air Disposal Inc. shareholders to own and operate the landfill. The new corporation was called Kitsap County Sanitary Landfill, Inc. (KCSL). Envirofil purchased KCSL and its assets in 1993. One year later, Envirofil merged with USA Waste. KCSL, Inc. continued to operate the landfill, although its name was changed in 1995 to Olympic View Sanitary Landfill, Inc. In 1998, USA Waste merged with Waste Management, Inc. and Olympic View Sanitary Landfill, Inc. became a subsidiary of Waste Management, Inc.

In 1984 and in 1988, new development plans and closure plans were completed for the landfill to increase landfill capacity. Under KCSL's management, the landfill continued to be permitted by the BKCHD to meet the Minimum Functional Standards for Solid Waste Handling, chapters 173-301 WAC and 173-304 WAC. Lined cell Phase I (25 acres) was constructed in 1985 to these standards.

The landfill began operating under the Criteria for Municipal Solid Waste Landfills, chapter 173-351 WAC in October 1991. Lined cell Phase II (20 acres) was constructed in 1994 to these standards. The landfill closed in 2003 and has a 30 year post-closure period.

Current Permits

- Department of Ecology State Waste Discharge Permit No. 7271 to discharge leachate to a treatment facility.
- Kitsap County Health Department Post Closure Permit for continual maintenance of the landfill for the thirty year post-closure period.
- Ecology Baseline General Stormwater Permit/Industrial Activities No.S03-002538 for the management and monitoring of stormwater.
- Puget Sound Clean Air Agency Registration No. 11042 for the flare that burns landfill gas.

Remedial Investigation/Feasibility Study

The Agreed Order, signed in 2001, specifies that a Remedial Investigation/Feasibility Study will be performed at the landfill. The purpose of a remedial investigation/feasibility (RI/FS) study is to collect, develop, and evaluate enough information about a site to select a cleanup action.

Contaminants

A general list of contaminants of concern includes the following:

- Volatile organic compounds (VOCs)
- Metals

There have been numerous environmental investigations at the site. The investigations have detected concentrations of arsenic, iron, manganese, and VOCs in the groundwater at the site exceeding the applicable cleanup levels.

Major Site Activities and Investigations Since the Agreed Order

- Wetland Investigation and Assessment Report, 2001
- Landfill Closure, 2003
- Update to the Olympic View Sanitary Landfill Conceptual Hydrogeologic Model, 2005
- Draft Final Remedial Investigation Report, including off-site domestic well study, 2007
- Gas and Leachate Collection Improvements, 2007 to 2008
- Human Health Risk Assessment, 2008
- Ecological Risk Assessment, 2008
- Environmental Monitoring Plan, 2009
- Draft Final Feasibility Study, 2010
- Draft Final Cleanup Action Plan, 2010

Community Profile

Olympic View Sanitary Landfill is located in a predominately rural area of Kitsap County. The nearest population centers are Belfair in Mason County, approximately three miles to the west and Gorst in Kitsap County approximately two miles to the east along State Route 3. The site is just west of the Bremerton National Airport and adjacent to the Port of Bremerton's Olympic View Industrial Park.

In the past, some neighbors expressed concerns about the nature of the waste placed in the landfill and the impact of the landfill operation on the environment and on their property. Several landfill neighbors sued the landfill, Kitsap County, the Port of Bremerton and the City of Bremerton alleging damages caused by landfill odors. The suit, called *Manheimer, et al. v Port of Bremerton, et al.*, was settled without admission of liability by the defendants and has been dismissed. In addition to cash payments to the class by all named defendants, Olympic View Sanitary Landfill, Inc. agreed to close the landfill before it reached its permitted capacity. The landfill closed in 2003.

Before finalizing the Agreed Order (AO), Ecology developed a mailing list of interested persons, and sent fact sheets about the AO to everyone on the mailing list. Ecology also provided a 30-day period for the public to provide comments on the AO and on November 30, 2000, held a public meeting to discuss the AO and answer questions from the public. Ecology then prepared a Responsiveness Summary discussing community outreach for the Agreed Order. The Responsiveness Summary includes the comments received from individuals with responses from Ecology.

The Model Toxics Control Act

In November 1988, voters passed Initiative 97, which went into effect in March of 1989 as chapter 70.105D RCW, the *Model Toxics Control Act (MTCA)*. MTCA changed the way that hazardous waste sites in the state are cleaned up. It provides a clear and efficient process to clean up chemical contamination of soils, sediments, surface water, and groundwater to levels that are protective of people and the environment. Representatives from citizen, environmental, and industry groups developed the implementing MTCA regulations with the Federal Superfund Law as a model.

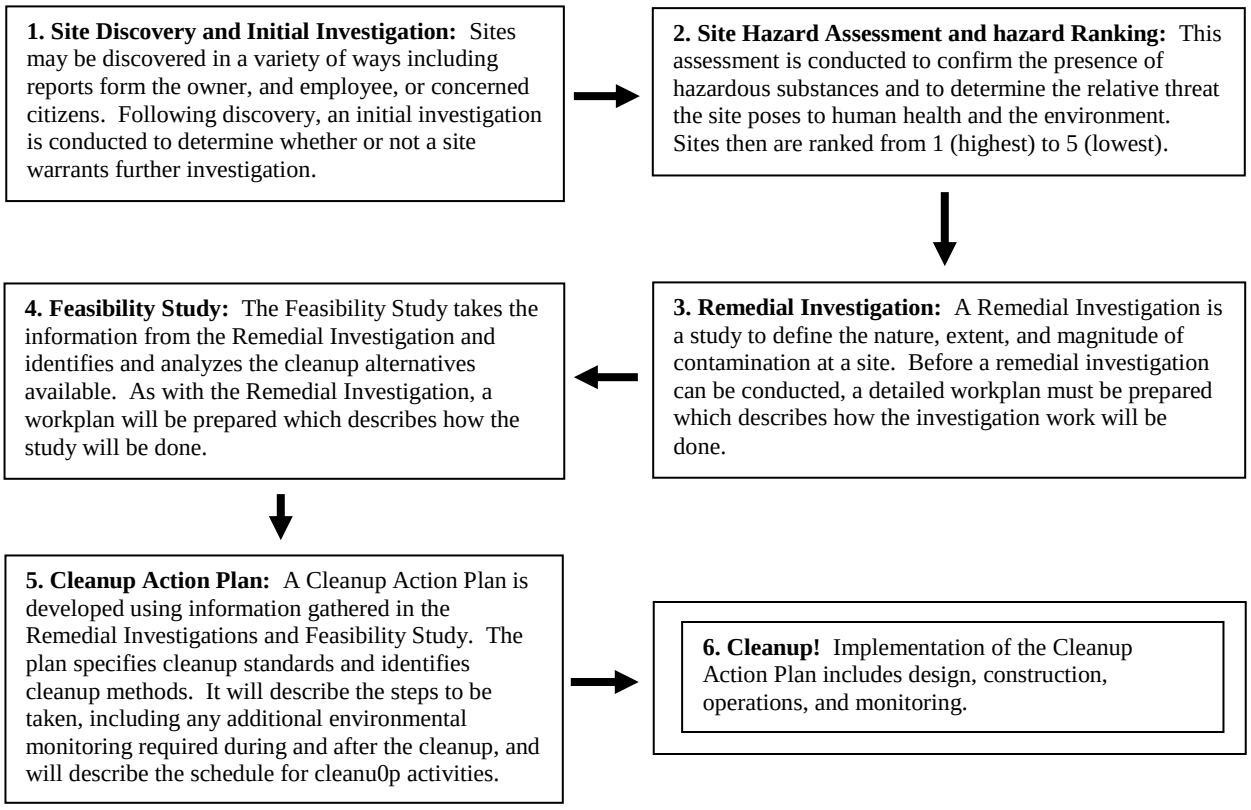
Ecology administers the MTCA regulations. MTCA does the following:

- Promotes cooperative cleanup agreements between Ecology and the responsible parties.
- Encourages an open process for the public, local government, and liable parties to discuss cleanup options and community concerns. Public awareness and involvement are keystones to the success of any MTCA cleanup.

Under MTCA, PLPs are responsible for researching and cleaning up the contamination. Although Ecology has the legal authority to order a liable party to perform a cleanup action, the department prefers to approach cleanups cooperatively. Ecology oversees each step of the cleanup to ensure that investigations, public involvement, cleanup, and monitoring are completed. The liable party pays the costs for this oversight.

Steps in the State Cleanup Process

The MTCA rules detail each step in the cleanup process to ensure that cleanups are thorough and protective of human health and the environment. The chart below defines these steps and how they apply to the project site. Legal documents such as "Agreed Orders" or "Consent Decrees" further define some of the steps and associated time frames.



The cleanup process is complex. During the process, issues often arise that need more scrutiny or evaluation, and may lead to changes in the scope or timing of the project. At the same time, it is in everyone's interest to complete a cleanup as quickly as possible. Therefore, Ecology and the PLPs must work together to address issues that arise as efficiently as possible in order to avoid delays.

Public Involvement Opportunities

The Model Toxics Control Act cleanup process (WAC 173-340-600) emphasizes giving the public the chance to review and provide suggestions on cleanup decisions at all major steps in the process. The Agreed Order that applies to this project requires Ecology and OVSL, Inc. to work cooperatively to provide the public with timely information, an understanding of the process, and opportunities to review and comment on proposed cleanup decisions. Ecology will provide continuing updates on the cleanup and monitoring.

Public Involvement Milestones (bold) and Associated Steps for the Investigation and Cleanup of the Olympic View Sanitary Landfill Site

MILESTONE	DATE or ESTIMATED DATE
Agreed Order (AO) signed by Olympic View Sanitary Landfill, Inc. and Ecology. The AO requires a Remedial Investigation/Feasibility Study, wetlands assessment, and environmental monitoring plan.	January 31, 2001
Public Participation Plan	November 3, 2000
Fact Sheet about the Agreed Order mailed.	November 2000
Legal Notice published in The Bremerton Sun and The Sun Silverdale	November 2000
Public Comment Period for the Agreed Order	November 3 through December 4, 2000
Public Meeting to discuss the Olympic View Sanitary Landfill Agreed Order for Remedial Action.	November 30, 2000
Responsiveness Summary completed	December 5, 2000
Draft Remedial Investigation/Feasibility Study (RI/FS) report and Draft Cleanup Action Plan (CAP) available for public review.	October 2010
Fact Sheet about the draft RI/FS mailed.	October 2010
Public Comment Period for the draft RI/FS.	October/November 2010
Public Meeting to discuss RI/FS (if requested by 10 or more people)	November 2010
Responsiveness Summary completed	December 2010
RI/FS and CAP finalized	December 2010
CAP implementation begins	2011
Five Year Review	2016

For each public involvement milestone, Ecology will provide public notice using a variety of methods. Some of the methods for public notice are outlined below. Certain stages of cleanup require a public comment period of at least 30 days. Ecology may extend the comment period depending on the complexities of the material or if the public requests an extension.

- **Mailing List –** Prior to finalizing the Agreed Order, Ecology developed a mailing list of individuals who live near the site. The potentially affected vicinity covers any adjacent properties and homes or businesses close to the site and areas that will be investigated. People in the affected area will receive copies of all fact sheets about the cleanup process by mail. Also, individuals, organizations, local, state and federal governments, and any other interested

parties will be added to the mailing list as requested. Interested people may request to be on the mailing list by contacting Madeline Wall at the Department of Ecology at 425.649.7015 or madeline.wall@ecy.wa.gov .

- **Email List –** Interested people may request to receive fact sheets about the cleanup process by email by contacting Madeline Wall at the Department of Ecology at 425.649.7015 or madeline.wall@ecy.wa.gov.

- **Fact Sheets –** Ecology creates fact sheets during various stages of the cleanup and delivers them to individuals on the mailing and email lists. These fact sheets explain the stage of cleanup, the site background, and what happens next in the cleanup. They may also ask for comments from the public. A minimum 30-day comment period allows interested parties time to comment on the process. The fact sheets are also available on Ecology's Web Site under the Toxics Cleanup Program at http://www.ecy.wa.gov/programs/tcp/sites/olympicView/olympicView_hp.html.

- **Site Register and Public Events Calendar –** Ecology uses its bimonthly Site Register and web-based Public Involvement Calendar to announce all of its public meetings and comment periods as well as additional site activities. To receive the Site Register in electronic or hard copy format, contact Linda Thompson of Ecology at 360-407-6069 or by email at linda.thompson@ecy.wa.gov. The Site Register is also available on Ecology's website at http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html. The web-based Public Involvement Calendar is available at http://apps.ecy.wa.gov/pubcalendar/calendar.asp.

- **Public meetings –** If ten or more people request a meeting during a public comment period, or express a need to better understand the proposed cleanup, Ecology will hold the requested event. Ecology and the PLPs may also choose to hold public meetings if they believe they are needed.

- **Internet –** Ecology's website for the Olympic View Sanitary Landfill site is as follows: http://www.ecy.wa.gov/programs/tcp/sites/olympicView/olympicView_hp.html.The Agreed Order, Public Participation Plan, and future documents are located on this Web Site.

- **News Releases –** Ecology may issue news releases to local media on major milestones, significant events, and accomplishments as appropriate. News releases may also be provided to Seattle based media and the Associated Press.

- **Display Ads –** Paid notices that describe upcoming events and comment opportunities will be published in the *Kitsap Sun*.

- **Local Information Repository –** All documents related to public comment periods will be available at the repositories below.

  - Kitsap Regional Library, Port Orchard Branch, 87 Sidney Avenue, Port Orchard, WA 98366-5249, (360) 879-2224.

  - North Mason Timberland Library, 23081 NE State Route 3, Belfair, WA 98528-1179, (360) 275-3232.

  - Kitsap County Health District, 345 6th Street, Suite 300, Bremerton, WA 98337, (360) 337- 5672. Please call for an appointment.

- **Ecology Files –**Olympic View Sanitary Landfill site files containing all studies and correspondence about the site are kept at Ecology's Northwest Regional Office at the following address:

  Department of Ecology
  Northwest Regional Office
  3190 160th Avenue SE
  Bellevue, WA 98008-5452
  For an appointment, please call (425) 649-7190 or email sally.perkins@ecy.wa.gov

How Can You Be Sure Your Concerns Are Heard?

- **Comment Periods**—Public comment is invited at each major step in the cleanup.

- **Public Meetings and Workshops**—Ecology will hold public meetings if requested by 10 or more people during each public comment period to discuss and gather input on investigation and cleanup proposals.

Will Technical Assistance Be Provided for Review of Documents?

Access to Staff—Ecology has staff available to answer questions on the cleanup process or meet with individuals or groups as requested. Contact Madeline Wall at (425) 649-7015 if you have questions or would like someone to come speak to your group. Waste Management and KCHD staff are also available to answer questions.

Public Participation Grants— Ecology's Solid Waste and Financial Assistance Program can award Public Participation Grants to groups to use for technical assistance in interpreting cleanup documents. Information on Public Participation Grants is available at Ecology's website at the following address: http://www.ecy.wa.gov/biblio/0407011.html.

Is There a Process for Appeal?

Yes. RCW 70.105D.060 provides for an appeal process. This provision states the only way to challenge Ecology's decisions about a cleanup action is through an action filed in the Superior Court of Thurston County or the county where the cleanup is occurring. The statute allows this type of challenge only under certain circumstances. These circumstances include a citizen suit to compel Ecology to perform a mandated duty that appears to have been neglected. The section also states "the court shall uphold the department's actions unless they were arbitrary and capricious."

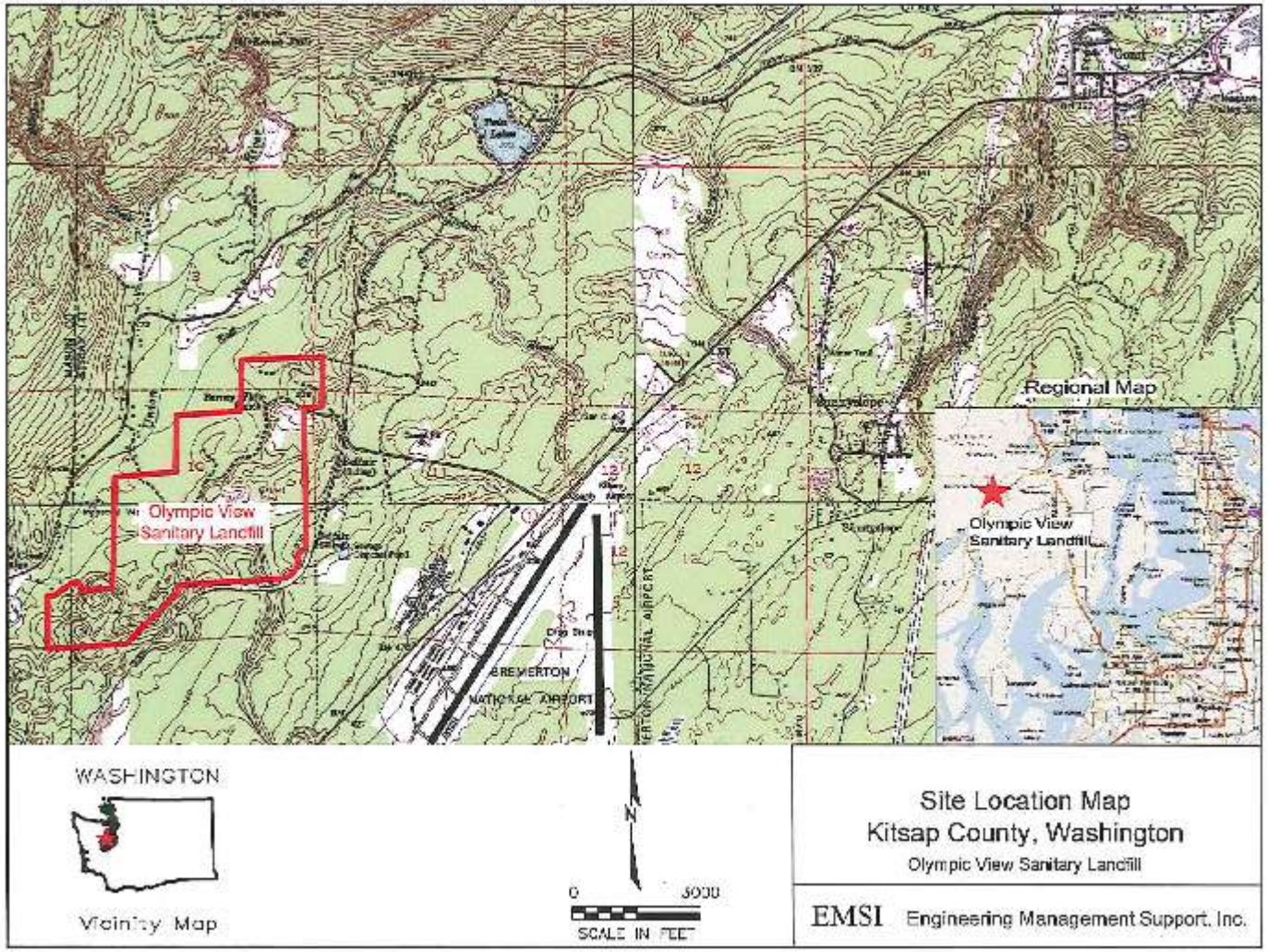
The rationale for the limitations on appeals is based on the hazards caused by fugitive toxic materials. Fugitive toxic materials may cause increased damage to the environment and the people of the State if cleanup action is curtailed for long periods of time to allow for resolving law suits.

Can This Plan Be Amended?

Ecology views this Plan as a living document that may be improved based on suggestions received from the community. Minor changes in the Plan, such as a suggestion for communicating more effectively with a particular part of the community, may be put into practice without formally amending the Plan.

However, the public participation activities specified for each step in the process will not be reduced without a formal amendment to the Plan. Such an amendment will only be made after an opportunity for public comment.

Appendix A: Site Location Map


Olympic View
Sanitary Landfill
Regional Map
Olympic View
Sanitary Landfill
BREMERTON
NATIONAL AIRPORT
WASHINGTON
Vicinity Map
N
0
3000
SCALE IN FEET
Site Location Map
Kitsap County, Washington
Olympic View Sanitary Landfill
EMSI Engineering Management Support, Inc.

Appendix B: Glossary

Agreed Order: A legal document issued by Ecology which formalizes an agreement between the department and potentially liable persons (PLPs) for cleanup actions needed at a site. Orders are subject to public comment. If an order is substantially changed, an additional comment period may occur.

Arsenic: A metallic element that forms a number of poisonous compounds, arsenic is found in nature at low levels mostly in compounds with oxygen, chlorine, and sulfur.

Chapter 173-351 WAC, Criteria for Municipal Solid Waste Landfill: The regulation that applies to landfills that continued to operate after 1993. The regulation has standards for design, operations, monitoring and maintenance during the active operation, closure and post-closure period.

Cleanup: Actions taken to deal with a release, or threatened release of hazardous substances that could affect public health and/or the environment. The term "cleanup" is often used broadly to describe various response actions or phases of remedial responses such as the remedial investigation/feasibility study.

Closure: The owner or operator of a landfill facility stops disposal operations and closes the landfill in conformance with applicable regulations and prepares the site for the post-closure period.

Comment Period: A time period during which the public can review and comment on various documents and proposed actions. For example, a comment period may be provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans.

Contaminant: Any hazardous substance that does not occur naturally or occurs at greater than natural background levels

Corrective Action: Another term used to mean the cleanup process as outlined in the Model Toxics Control Action.

Feasibility Study: A study to evaluate alternative cleanup actions for a site. A comment period on the draft report is required. Ecology selects the preferred alternative after reviewing those documents.

Groundwater: Water found beneath the earth's surface that fills pores between materials such as sand, soil, or gravel. In some aquifers, ground water occurs in sufficient quantities that it can be used for drinking water, irrigation and other purposes.

Hazardous Substance: Any material that poses a threat to public health and/or the environment. Typical hazardous substances are materials that are toxic, corrosive, ignitable, explosive, or chemically reactive.

Information Repository: A file containing current information, technical reports, and reference documents available for public review. The information repository is usually located in a public building that is convenient for local residents such as a public school, city hall, or library.

Leachate: A liquid that has come in contact and passes through solid waste.

Model Toxics Control Act (MTCA): Legislation passed by citizens of the State of Washington through an initiative in 1988. Its purpose is to identify, investigate, and clean up facilities where hazardous substances have been released. It defines the role of Ecology and encourages public involvement in the decision making process. MTCA regulations are administered by the Washington State Department of Ecology.

Municipal Solid Waste Landfill: A discrete area of land that receives household waste, commercial solid waste, nonhazardous sludge, conditionally-exempt small quantity generator waste, and industrial solid waste.

Post-Closure: That period of time after landfill closure that the operator is responsible to monitor and maintain the landfill. The post closure period is 30 years.

Potentially Liable Person: Any individual(s) or company(s) potentially responsible for, or contributing to, the contamination problems at a site. Whenever possible, Ecology requires these PLPs, through administrative and legal actions, to clean up sites.

Public Participation Plan: A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

Remedial Investigation: A study to define the extent of problems at a site. A comment period on the draft report is required.

Remedial Investigation/Feasibility Study: Two distinct but related studies. They are usually performed at the same time, and together referred to as the "RI/FS." They are intended to:

-Gather the data necessary to determine the type and extent of contamination;

-Establish criteria for cleaning up the site;

-Identify and screen cleanup alternatives for remedial action; and

-Analyze in detail the technology and costs of the alternatives.

Site: Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

Site Register: Publication issued every two weeks of major activities conducted statewide related to the study and cleanup of hazardous waste sites under the Model Toxics Control Act. To receive this publication, please call (360) 407-7200.

Solid Waste: All putrescible and nonputrescible solid and semisolid wastes including, but not limited to garbage, rubbish, ashes, industrial wastes, commercial waste, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, discarded commodities and recyclable materials.

Solid Waste Permit: A permit written by the local jurisdictional health agency for a solid waste facilities operating under state and local regulations.

SVOCs (semi-volatile organic compounds): This group includes a variety of chemicals that have boiling points higher than water and that may become a gas at temperatures above room temperature. Most of these substances are used as industrial chemicals. They include phenols, polynuclear aromatic hydrocarbons (PAHs), and phthalates. Sites where these potentially toxic chemicals may be found include burn pits, chemical manufacturing plants and disposal areas, electroplating/metal finishing shops, firefighting training areas, hangars/aircraft maintenance areas, solvent degreasing areas, vehicle maintenance areas, and wood preserving pits. These compounds generally evaporate slowly at room temperature. Their water solubility and environmental persistence is highly variable, and they are commonly found as contaminants in soil and water.

Toxicity: The degree to which a substance at a particular concentration is capable of causing harm to living organisms, including people, plants and animals.

VOCs (volatile organic compounds): Include a variety of chemicals that become a gas at room temperature. Most such substances are industrial chemicals and solvents. They include light alcohols, acetone, trichloroethylene, perchloroethylene, dichloroethylene, benzene, vinyl chloride, toluene, and methylene chloride. These potentially toxic chemicals are used as solvents, degreasers, paints, thinners, and fuels. Because of their volatile nature, they readily evaporate into the air, increasing the potential exposure to humans. Due to their low water solubility, environmental persistence, and widespread industrial use, they are commonly found in soil and water.